

LAW OFFICES OF GREGORY JAVARDIAN
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Hearing Date: October 11, 2012, at
10:00 am in Courtroom 1, United
States Bankruptcy Court, 900 Market
Street, Philadelphia, PA 19107

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Doreen L Grant a/k/a Doreen L Prescott
a/k/a Doreen L Prescott-Grant

Debtor(s)

Chapter 13 Proceeding

10-19855 ELF

**MOTION OF U.S. BANK NATIONAL ASSOCIATION FOR RELIEF OF FROM
THE AUTOMATIC STAY**

AND NOW, comes secured Creditor, U.S. Bank National Association (Movant) by and through its counsel, Mary F. Kennedy, and files this Motion to obtain an order for Relief from the Automatic Stay due to lack of equity in debtor(s) property and debtor(s) failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about November 12, 2010, Debtor(s) filed a Chapter 13 Bankruptcy Petition.
2. On October 13, 2006, the debtor executed a Mortgage and Note to Movant and or Movant's assignor in the amount of \$225,000.00 and secured by the property located at 908 Rowland Avenue, Cheltenham, PA 19012, referred to as the "property" (See Exhibit "A" attached).
3. The debtor is presently in arrears post petition for four (4) months, June 1, 2012 to September 1, 2012. The total arrears including \$726.00 for attorney fees and costs is \$7,029.06.
4. Movant wishes to have the automatic stay terminated to permit Movant to complete foreclosure on its mortgage.

5. Pursuant to 11 U.S.C.A. section 362 (d) (1), U.S. Bank National Association is not adequately protected and will suffer irreparable injury, harm and damage if relief from the stay is not granted.

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

That Relief from the Automatic Stay be granted to U.S. Bank National Association to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy Law. That the relief granted by the Court will survive the conversion of this bankruptcy case to a case under any other Chapter of the Bankruptcy Code. And that bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non Bankruptcy law. Furthermore Movant respectfully requests that reasonable attorney fees and costs associated with this Motion be awarded to Movant

RESPECTFULLY SUBMITTED,

s/ MARY F. KENNEDY, ESQ.

Dated: September 12, 2012